



Town of Merrimack, New Hampshire

Community Development Department

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Planning - Zoning - Economic Development - Conservation

Memorandum

Date: August 19, 2015

To: Fran L'Heureux, Chair, & Members, Zoning Board of Adjustment

From: Jillian Harris, Planning and Zoning Administrator

Subject: **Carolyn Parker of Pattison Sign, Inc. for Enterprise Rent-A-Car (petitioner) and Helios Investments, LLC. (owner)** – Variance under Section 17.09(3) of the Zoning Ordinance to permit the installation of (2) 74.31 s.f. wall signs whereas (1) 6 s.f. is allowed. The parcel is located at 302 Continental Boulevard in the R (Residential) and Aquifer Conservation Districts. Tax Map 2B, Lot 032. Case # 2015-27.

The following information is provided to aid in your consideration of the above referenced case. Additional background and application materials are included in your packet.

Background:

The subject property comprises 6.992 acres located at 302 Continental Boulevard. The lot is located in the R (Residential) and Aquifer Conservation Districts, and is serviced by municipal sewer and water from MVD. Abutting properties include residential uses to the north, Pennichuck Square to the east, Autofair Volkswagen to the south, and Home Depot to the west.

The site received a variance in 2004 to allow for general commercial use in the R (Residential) District. The variance was determined to be vested and valid, as the property (barn) was used until recently for storage of motorcycles for the former Harley Davidson dealership that was previously located on the adjacent parcel (now Autofair Volkswagen). Because the variance was vested, the applicant's proposed use was permitted under the terms of the 2004 variance.

The property owner received final approval of an amended application for a site plan to construct a 2,095 s.f. car rental facility and outdoor vehicle storage/parking on February 17, 2015 and plans were signed by the Planning Board on May 19, 2015.

The petitioner seeks a variance to permit the installation of (2) 74.31 s.f. wall signs whereas (1) 6 s.f. sign is allowed in the residential district identifying any nonresidential use permitted per Section 17.09(3) of the Zoning Ordinance.

(For reference, in a commercial district and without a ground or projecting sign, the maximum area allowed for wall signs is two times the length of the building on which the sign is to be located in square feet. Each sign is proposed for a wall 58 ft. in length, therefore they would be allowed up to a 116 sq. ft. sign on each wall if the property was located in a commercial district.)

Standard of Review: It is the burden of the Petitioner to demonstrate that the five requirements for the granting of a Variance under Section 17.09(3) of the Zoning Ordinance have been met to permit the installation of (2) 74.31 s.f. wall signs whereas (1) 6 s.f. is allowed.

cc: Correspondence & Zoning Board File
ec: Carolyn Parker, Pattison Sign, Inc.
Enterprise Rent-A-Car, petitioner
Helios Investments, LLC, owner
Carol Miner and Fred Kelley, Building Department